

**NEVADA CITY, CALIFORNIA  
INITIAL STUDY**

**Date:** April 27, 2009

**Project Title:** 2009-2014 Housing Element Update and adoption of related programs

**Lead Agency Name and Address:** City of Nevada City  
City Hall  
317 Broad Street  
Nevada City, CA 95959

**Contact Person and Phone Number:** Cindy Siegfried, City Planner  
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**Project Location:** City of Nevada City

**Summary Project Description:** The proposed project consists of the adoption of the City of Nevada City's Housing Element Update as a mandated update of the General Plan. The Housing Element Update for the City of Nevada City sets forth the City's six-year strategy to preserve and enhance the community's character, expand housing opportunities for all economic segments, and provide guidance and direction for local government decision-making in all matters related to housing. Furthermore, the project includes a variety of implementation programs intended to be adopted concurrently with the adoption of the Housing Element.

**File Number(s):** HE2009-01

**Assessor's Parcel Number:** The Housing Element and various implementing programs apply to the entire City (See Figure 1). See Table 1 below for R3 candidate sites only

**Project Location:** The Housing Element and various implementing programs apply to the entire City of Nevada City. See Table 1 below for R3 candidate sites locations.

**General Plan Designations and Zoning Districts**

The Housing Element and implementing programs apply to the entire City. The following seven candidate sites are considered for rezoning to the new R3 zoning district.

**Table 1  
R3 Candidate Sites**

<b>Map Location<sup>1</sup></b>	<b>APN</b>	<b>Address</b>	<b>GP<sup>3</sup></b>	<b>Zoning<sup>3</sup></b>
1	5-06-08	641 W. Broad Street	MF	R2-SP
2	5-28-08	601 Searls Avenue	MF	R2-AN-PD
3	5-270-38	646 Searls Avenue	MF	R2-AN-PD
4	5-290-22	726 Searls Avenue	OP	OP-AN-SC
5	5-290-26	170 Ridge Road	SL	SL-AN-SC
7 <sup>2</sup>	NA	210 Providence Mine Road	EC	LI-DA
8	36-020-24	640 Nevada Street	SF	R1

<sup>1</sup> Location 6 on the map has been removed from consideration by the property owner. It is also possible that other owners will remove their property from consideration.

<sup>2</sup> The project includes a General Plan Amendment to designate 1 to 2 acres to the new High Density Multiple Family Residential land use designation and up to 5 ¼ acres to the Mixed Residential as a floating land use designation. In the future the landowner would initiate changes to the existing Development Agreement and zoning for specific uses. That application would be subject to subsequent environmental review.

<sup>3</sup> General Plan land use designations

R – Rural and Estates. Maximum 1 dwelling unit per 1-5 acres

SF - Single Residential. Maximum 4 dwelling units/acre

MF - Mixed Residential. Maximum 8 dwelling units/acre

GC – General Commercial. Maximum 8 dwelling units/acre

SC – Service Commercial. Maximum 8 dwelling units/acre

SL – Service Lodging. Maximum 8 dwelling units/acre

OP - Office and Professional. Maximum 8 dwelling units/acre

EC – Employment Center. Except for caretakers, residential use is prohibited

<sup>3</sup> Zoning key:

RR – Rural Residential. Minimum lot size 1 acre

R1 – Single Family Residential. Minimum lot size 10,000 square-feet.

R2 – Multiple-Family Residential. Assume 8 dwelling units per acre with pending amendment.

Combining Zones

AN – Annexation district

PD – Planned Development overlay district.

SC – Scenic Corridor overlay district.

SP – Site Performance overlay district.

**PUBLIC AGENCIES WHO'S APPROVAL MAY IS REQUIRED:**

- California Department of Housing and Community Development—Housing Element

**SUMMARY OF IMPACTS and PROPOSED MITIGATION MEASURES**

**Environmental Factors Potentially Affected:**

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant With Mitigation" as indicated by the checklist on the following pages.

___	1. Land Use / Planning	___	2. Population / Housing	___	3. Geology / Soils
___	4. Hydrology/Water Quality	___	5. Air Quality	___	6. Transportation/Circulation
___	7. Biological Resources	___	8. Mineral Resources	___	9. Hazards/Hazardous Materials
___	10. Noise	___	11. Public Services	___	12. Utilities / Service Systems
___	13. Aesthetics	___	14. Agriculture Resources	___	15. Cultural Resources
___	16. Recreation	___	17. Mandatory Findings of Significance		

## DETERMINATION

On the basis of this initial study:

- ☒ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Cindy Siegfried, City Planner

Printed Name

Date

City of Nevada City

For

## **INTRODUCTION**

The City of Nevada City's General Plan 2009- 2014 Housing Element update identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups; analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of the existing affordable housing stock; and outlines policies to promote housing opportunities for all persons.

The Housing Element is an integral component of the City's General Plan. The Housing Element addresses the existing and anticipated future housing needs for all Nevada City residents. The Housing Element is a tool for use by citizens and public officials in understanding and meeting the housing needs in Nevada City.

Since 1969, the State Legislature has mandated that a Housing Element be included in every General Plan. The Housing Element is one of the seven required elements in a General Plan. Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 of the Government Code sets forth the legal requirements for a Housing Element and encourages the provision of affordable and decent housing in all communities to meet Statewide goals. Specifically, Section 65580 states that the Housing Element shall consist of "... an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing." The Housing Element must also contain a housing plan with quantified objectives for the implementation of the goals and objectives described in the Housing Element. State law requires that the Housing Element be updated every five years.

The City of Nevada City's current Housing Element (2001-2008) was adopted in 2003. The updated Housing Element is currently being prepared for the City to comply with State law. The Initial Study evaluates the environmental effects of the 2009-2014 Nevada City Housing Element together with its many implementing programs scheduled for concurrent adoption.

## **BACKGROUND POLICY SETTING**

This amendment and update to the Housing Element involves an amendment to the current general plan. Some of the policies and programs are clarification to reflect existing programs within the City Zoning Code, while others are new. The Housing Element update, together with the implementing programs, will be reviewed with all elements of the General Plan in order to ensure consistency. The City is proposing minor General Plan mapping amendments and rezoning of lands needed to accommodate Very Low and Low income households by the adoption of a new land use designation (Urban High Density Multiple Family Residential) and a new zone district (R3, High Density Multiple Family Residential). For the most part, the seven candidate sites constitute infill development. It is also expected that several sites will be planned and zoned to meet the affordable housing allocation required by the state. This initial study will be used to eventually plan and zone the needed sites, but not all sites evaluated will eventually be designated for R3 zoning.

The City of Nevada City's Housing Element is a policy-level document and would not result in the development or redevelopment of specific projects. In addition, future developments would be required to comply with the City's development standards. The Housing Element is a policy-level document that does not include site-specific development plans. The potential impacts of future developments on scenic vistas, scenic resources, historic buildings and the visual character of the City are not known. Therefore, an assessment of potential site-specific visual impacts resulting from future development proposals is not possible. Together with various implementation programs that are part of the project, however, Nevada City has included site development and design standards within the new R3, High Density Multiple Family Residential (15 dwelling units/acre) zoning district. That district also will contain specific site development and design standards that would be applicable to actual properties rezoned to R3. In addition, a new zoning code section for outdoor lighting standards is also proposed.

This Initial Study reviews only the proposed changes to the Housing Element and the new implementing programs, not those Goals, Objectives, Policies and programs currently in place. Pursuant to the decision in Black Property

Owners Association v. City of Berkeley(1<sup>st</sup> Dist. 1994), the Court held that, when an agency adopts an updated Housing Element pursuant to Government Code Section 655888, the “project” for CEQA purposes does not extend to preexisting policies that are readopted without change. In many instances, however, the Initial Study relies on those policies and programs to demonstrate less than significant impact.

### **RELATIONSHIP TO OTHER PROJECTS**

As a state mandated amendment to the City’s Housing Element, there are no projects known to be directly or indirectly related to the amendment to the update of the Housing Element. The adoption of the Housing Element will not accelerate growth beyond projected buildout trends. The lands considered for high density multiple-family development at a maximum of 15 dwelling units per acre will not disrupt or otherwise exacerbate growth within the City. The draft Housing Element projected that a maximum of 3.1 acres are needed to meet the required 46 units to meet the City’s Very Low and Low income household allocation. While seven sites with a maximum development potential of 214 dwelling units (Table 3-map Figure 2) are being reviewed for consideration, the City does not expect to designate and rezone more than five acres total, depending on a) HCD review and comment on the draft Housing Element and b) sites selected and zoned by the City. If more than 3.1 acres are deemed to be needed, the City may designate additional lands to provide market flexibility and to increase the potential for development of needed affordable housing units.

### **EXISTING SETTING**

Nevada City, located about 60 miles northeast of Sacramento, formerly known as Deer Creek, Dry Diggins and Caldwell’s Upper Store, is Nevada County’s government seat. It was first settled in 1849 during the California Gold Rush and by 1850 had become the most important and well known mining town in California. Along with its larger, southerly adjoining, sister city, Grass Valley, this Sierra Foothill region became the leading gold mining area in the state. Nevada City is located at the juncture of State Highway 20 and 49 about four miles north of Grass Valley.

Nevada City, with a population of about 3,000, is characterized today as a lively, well-preserved California Gold Rush town. Nevada City’s award-winning historic district is listed on the National Register of Historic Places. While it is considered to be among the best-preserved towns of the West, Nevada City is more than a historical site to see. It is a vibrant, thriving community and entertainment capital of the Sierra Nevada foothills. Visitors enjoy fine restaurants and lodgings, live theatre, music, shopping, antiques, art galleries and museums. There are three incorporated cities in Nevada County. Along with Grass Valley and Nevada City, Truckee located in eastern Nevada County became the third incorporated City in 1992.

### **PROJECT DESCRIPTION**

Revisions to the General Plan updating the Housing Element: The Draft Housing Element for the 2009-2014 State Housing and Community Development Housing Element Cycle (Housing Element) is the City’s policy document for meeting the City’s housing needs, including housing affordable to very low, low, moderate and above moderate-income households. The Draft Housing Element includes:

1. Review of the 2003 Housing Element and evaluation of existing programs and policies
2. Housing Needs Assessment, including a description of the Regional Housing Needs Determination
3. Inventory and description of existing and future housing opportunities and resources to meet the local housing need
4. Review of governmental and non-governmental housing constraints
5. Housing Goals, Policies, Objectives, and Implementation Programs
6. Statement of Quantified Objectives
7. General Plan Background Data Report that summarizes City infrastructure and services in a separate bound document.

In addition to the basic Housing Element, the following project features are included as implementation programs and intended to be adopted concurrently with the Housing Element. All of these project features are included as part of the Initial Study:

1. Amendment to the Nevada City General Plan (Exhibit A), as follows:
  - a. Creation of High Density Multiple Family Residential land use designation. This designation is intended to accommodate the Very Low and Low income household needs allocation assigned to Nevada City. It will accommodate multiple family housing with density range of 12 to 15 units per acre.
  - b. Inclusion of mixed use residential uses with retail and office developments to facilitate shorter commutes and promote pedestrian activity in the Service Commercial, General Commercial and Professional Office land use designations.
  - c. Encourage housing development in closer proximity to employment centers and light industrial land uses.
2. Amendments to the Municipal Code as follows:
  - a. Zoning Ordinance (Exhibit B)
    - i. Amend the R2 zone to establish the density at 8 dwelling units per acre to be consistent with the MF, Mixed Residential General Plan designation.
    - ii. Create a new R3, High Density Multiple Family Residential Zone to accommodate a maximum of 15 units per acre along with a variety of site development standards to enable project approval through a ministerial review process that is also subject to design review by the Architectural Review Committee.
    - iii. Allow land divisions of existing legal lots with two legal dwellings where the resultant parcels are smaller than the minimum lot size of the zoning district. This measure will require that one of the new lots be subject to a 30-year deed restriction for lower income households.
    - iv. Add homeless housing facilities as a permitted use in the LI, Light Industrial zoning district and subject to a ministerial review process.
      - Add definitions for Emergency Shelter, Transitional Housing and Supportive Housing.
    - v. Allow state licensed residential care homes with up to six residents to the AF, RR, R1 and R2 zoning districts consistent with state law requirements.
    - vi. Amend the definition of Public-Quasi Public to include emergency shelters, transitional housing supportive housing and state licensed large residential day care facilities.
    - vii. Amend the definition of single family dwelling to include manufactured homes as required by state law.
    - viii. Include mixed use residential uses within the Office and Professional, Local Business, and general Business zones.
    - ix. Add outdoor lighting standards to Section 17.80.210 of the Zoning Code
    - x. Codify and modify the existing Density Bonus Housing provisions previously enacted as Ordinance 90-10
  - b. Subdivision Ordinance (Exhibit C)
    - i. Clarify that 75 percent of the 1,500 maximum house sizes are to be restricted to Moderate Income households and the remaining 25 percent to be restricted to Low Income households.
3. General Plan amendment and rezone of several of the following seven candidate sites to High Density Multiple Family Residential land use designation and R3, High Density Multiple Family Residential (Table 3 and Map figure 2).

**Table 3  
Candidate Sites Capacity**

Map Location <sup>1</sup>	APN	Address	Acreage	Maximum Unit Capacity <sup>2</sup>	Potential Unit increase <sup>3</sup>
1	5-06-08	641 W. Broad Street	1.22	18	9
2	5-28-08	601 Searls Avenue	.82	12	6
3	5-270-38	646 Searls Avenue	1.0	15	7
4	5-290-22	726 Searls Avenue	1.7	26	13
5	5-290-26	170 Ridge Road	4.59	69	33
7 <sup>4</sup>	NA	210 Providence Mine Road	6.5	48	48
8	36-020-24	840 Nevada Street	1.13	16	12
Total			16.96	214	128

<sup>1</sup> Location 6 on the map has been removed from consideration by the property owner and is therefore not considered.

<sup>2</sup> Maximum unit capacity is based on the new R3, High Density Multiple Family Residential zone density of 15 multiple family dwelling units per acre

<sup>3</sup> Over maximum yields based on current zoning

<sup>4</sup> The project includes a General Plan Amendment to designate one to two acres to the new High Density Multiple Family Residential land use designation and up to 5.5 acres to the Mixed Residential land use designation. The landowner would initiate changes to the existing Development Agreement and zoning for specific uses in the future. That application would be subject to subsequent environmental review.

## INITIAL STUDY AND CHECKLIST

### INTRODUCTION

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). The information, analysis and conclusions contained in the checklist are the basis for determining whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. If an EIR is deemed necessary based on the conclusions of the Initial Study, the checklist is used to focus the EIR on the effects determined to be potentially significant.

This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a less than significant level with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

**1. AESTHETICS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Have a substantial adverse effect on a scenic vista?				X	A, C, D
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?				X	A, C, D
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		C, D
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X		A, C, D

**Background Setting**

The City is nestled in an urban forest setting of great beauty. The City began at the confluence of Deer Creek and Little Deer Creek and grew to the north on the sunny side of the creek. The City lies in a basin which is surrounded by Cement Hill, Sugar Loaf Mountain, Harmony Ridge and Banner Mountain forming a forested back drop. The essence of the City is that of a small, compact, historic town surrounded by green, wooded hills.

General Plan policy and zoning ordinance standards calls for promoting and providing for aesthetic design in new development that reflects existing character. The City actively promotes architectural character to reflect their Mother Lode Architecture. Where Mother Lode architecture is not prevalent, City design standards require incorporation of various design elements from this historical architectural theme. No significant changes are anticipated to occur to the visual character of the City as a result of the adoption of the Housing Element, implementing measures or policy recommendations. In addition, the City takes great care in maintaining the forested environment while permitting reasonable development.

**Candidate R3 Parcel setting**

Map Location	APN	Address	Scenic character	Comments
1	5-06-08	641 W. Broad Street	Gateway entry into City from Highway 49	On prominent entry road into the City.
2	5-28-08	601 Searls Avenue	<ul style="list-style-type: none"> <li>• Adjoins Highway 49, which is zoned SC, scenic corridor</li> <li>• Wooded character of Searls Avenue</li> </ul>	<ul style="list-style-type: none"> <li>• Trees along Hwy 49 provided filtered views of the site.</li> <li>• Site specific design standards will be incorporated into the rezone to R3.</li> </ul>
3	5-270-38	646 Searls Avenue	Wooded character of Searls Avenue	
4	5-290-22	726 Searls Avenue	<ul style="list-style-type: none"> <li>• Zoned with SC due to proximity to Hwy 49</li> <li>• Wooded character of Searls Avenue</li> </ul>	<ul style="list-style-type: none"> <li>• Site not visible from Hwy 49 due to heavy tree cover in the highway R.O.W.</li> <li>• Site specific design standards</li> </ul>



Map Location	APN	Address	Scenic character	Comments
				will be incorporated into the rezone to R3.
5	5-290-26	170 Ridge Road	<ul style="list-style-type: none"> <li>• Zoned with SC due to proximity to Hwy 49</li> <li>• Wooded character of Zion Street</li> </ul>	<ul style="list-style-type: none"> <li>• Site not visible from Hwy 49 due to heavy tree cover in the highway R.O.W, topography and tree cover on eastern end of property.</li> <li>• Site specific design standards will be incorporated into the rezone to R3.</li> </ul>
7	NA	210 Providence Mine Road	<ul style="list-style-type: none"> <li>• Wooded character around Nevada City Technology Center.</li> <li>• Variable topographic features</li> </ul>	The existing Development Agreement would need to be amended in order for this site to be zoned to the R3 zone. That amendment would include the development of design standards for the project.
8	36-020-24	840 Nevada Street	<ul style="list-style-type: none"> <li>• Zoned with SC due to proximity to Hwy 20</li> <li>• Wooded character of Nevada Street and Highway 20</li> </ul>	<ul style="list-style-type: none"> <li>• Site has a filtered view from Hwy 20 through trees, brush and intervening topography within the highway R.O.W. and on-site.</li> <li>• Site specific design standards will be incorporated into the rezone to R3.</li> </ul>

**Impact Discussion:**

1.a, b There are no scenic vistas that would be affected by the implementation of the Housing Element or any implementing program. There are no scenic vistas that would be affected by the implementation of the Housing Element or any implementing program. The City is active in protecting its historical architectural Mother Lode character. Any new development of lands related to the Housing Element would not interfere anymore than those same sites would under existing planning and zoning designations. The Housing Element will not open up new lands for development, but a few parcels may be subject to rezoning to accommodate a greater density. Those parcels are defined in the above table. Most are currently zoned with the SC, Scenic Corridor overlay zone. Those parcels that will be rezoned to R3 will include specific design standards and all will be subject to design review by the Architectural Review Committee.

1.c, d Highways 20 and 49 within the City limits are zoned with the City's SC, scenic corridor combining zone district. Each of the seven sites will be reviewed for visual impacts to adjoining lands and current SC zoning concerns. Sites with high visual importance are not being considered for R3 zoning. The new R3 zone includes a variety of site development standards that will maintain the aesthetic and visual character of the area and be sensitive to surrounding developed parcels. The R3 zone also requires design review by the Architectural Review Committee. The City Zoning Ordinance is amended to include lighting standards to ensure that adjoining properties are not significantly impacted by lighting.

**Impact Conclusion:** The adoption of the Housing Element will not create any aesthetic impacts in itself. It's many implementing programs will, however establish design standards for lighting and site specific development standards. Since each site will include specific design and site development standards there will be no significant aesthetic impacts and therefore no mitigation measures are recommended.

**2. AGRICULTURAL RESOURCE** – In determining whether impacts to agriculture resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	D, K, L, M
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	A
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use?				X	A, C, D

**Background setting**

The City of Nevada City does not include any lands that are used for or are otherwise designated as important farmland by the Farmland Mapping and Monitoring Program of the California Resources Agency. None of the seven R3 candidate parcels contain agricultural uses and none are zoned for agriculture.

**Impact Discussion:**

2.a, b,c There are no lands classified Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland) within the City of Nevada City, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition there are no lands zoned agriculture or within Williamson Act contracts within the City.

**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on agricultural resources and no mitigation measures are recommended.

**3. AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Conflict with or obstruct implementation of the applicable air quality plan?			X		J
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		J

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c) Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X		J
d) Expose sensitive receptors to substantial pollutant concentrations?				X	J
e) Create objectionable odors affecting a substantial number of people?				X	J

**Existing Setting:**

All of Nevada County is located in the Mountain Counties Air Basin. State and federal air quality standards have been established for six ambient air pollutants, primarily to protect human health and welfare. These six criteria air pollutants include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and suspended particulate matter (PM<sub>10</sub>, particulate matter with a diameter of 10 microns or less). When the monitored ambient air concentration exceeds an air quality standard, the state or federal government designates the area “non-attainment” for that pollutant. If no violations of the air quality standards occur, an area is said to be “in attainment.”

The overall air quality in Nevada County is good with the exception of two known air quality problems: ozone and PM<sub>10</sub>. Nevada County is in attainment for all federal standards with the exception of western Nevada County, which is in non-attainment for the federal 8-hour ozone standard. Under the more stringent California air quality standards, Nevada County is in non-attainment for the 1- and 8-hour ozone standards and PM<sub>10</sub> standards.

Although ozone-producing sources exist in the County, most of the ozone in the County is transported from urban areas to the southwest. Local sources of ozone-producing chemicals occur during seasonal and peak traffic flows around the Interstate-80 corridor in eastern Nevada County. PM<sub>10</sub> violations in winter are primarily due to wood smoke from the use of woodstoves and fireplaces and debris burning, while summer and fall violations often occur during forest fires or periods of open burning.

In 1997, the Environmental Protection Agency (EPA) acknowledged that PM<sub>2.5</sub> (particulate matter with a diameter of 2.5 microns or less) represents an air pollutant of concern and subsequently released new national ambient air quality standards (NAAQS) for PM<sub>2.5</sub>. In order to meet these new standards, the California Air Resources Board (CARB) and local air quality management districts (AQMDs) in California are developing a PM<sub>2.5</sub> monitoring network. The Northern Sierra Air Quality Management District (NSAQMD) currently has seven years of monitoring data for PM<sub>2.5</sub>. With another three years of continuous monitoring, more solid conclusions regarding PM<sub>2.5</sub> pollution in the area may be obtained and local standards developed. Like PM<sub>10</sub>, PM<sub>2.5</sub> is also primarily a product of combustion processes, e.g., woodstoves, forestry and residential open burning, vehicle traffic and wind-blown dust, common in the populated areas of Nevada County. Natural sources of suspended particulates occur from wind blow dust and pollen.

**Impact Discussion:**

3.a-e The adoption of the Housing Element and related implementation programs considered as part of the project will not accelerate or increase growth within the City of Nevada City beyond State Department of Finance projections. With the exception of the need to rezone several acres to R3 (15 dwelling units per acre), the land use plan for the City of Nevada City will largely remain the same. It is expected that these units would be spread throughout the city. Site development best management practices would adhere to the NSAQMD requirements.

As Nevada City is a very walkable pedestrian friendly city. The entire City constitutes approximately two square miles. Shopping, schools, employment centers and recreational areas are all within a very short distance to housing areas. The Housing Element reinforces and encourages infill, mixed use and higher density development to promote and support vehicle trip reductions. Due to the City's compact small urban form, the General Plan facilitates alternatives to individual vehicle travel through a mixed land use pattern. Together with its compact urban form, the City encourages open space retention, tree retention, and landscaping to reduce greenhouse gases.

To date, the California Resources Agency or the Office of Planning and Research (OPR) have not published measurement standards of greenhouse gas emissions. Therefore, the City of Nevada City has not yet adopted any standards for setting any type of threshold for significance when weighing this issue. However, the adoption of the Housing Element and eventual rezoning of a few sites to R3 is not expected to cumulatively increase greenhouse gas (GHG) emissions above that which would occur under the current general plan and zoning allocations.

Carbon dioxide is the most abundant GHG and is used as an indicator to assess a project's contribution to climate change. Due to the nature of this the project, on a city wide or regional basis there would not be a significant increase in vehicle trips (which is the largest producer of Carbon dioxide). As noted above, Nevada City is a very small compact city that for the most part is walkable. In its compact form, Nevada City offers many options that minimize dependence on the automobile. In addition to pedestrian and bicycle modes of moving around, a large number of city residents use public transportation, carpool, and/or utilize other alternative modes of transportation. Nevada City is two square miles in size. Each new R3 candidate site is well within walking distance to the downtown area, employment centers, shopping and to bus/transit stops.

The Northern Sierra Air Quality Management District (NSAQMD) reviews all discretionary projects within Nevada City for impacts on air quality. A variety of construction related measures are required to ensure that air quality impacts are reduced to below significant levels. The proposed R3 zone also includes a mandatory review and imposition of best management practices as established by the NSAQMD. These best management practices could include but not be limited to dust control measures, construction vehicle emission controls, asbestos airborne toxic control measures and the open burning prohibition requirements. While the number of units that could be constructed during the current 2009-2014 planning period is relatively few, the R3 zone includes provisions for the NSAQMD review to mitigate cumulative air quality impacts.

Furthermore, the Housing Element and related programs is being updated to accommodate housing for all income levels and as such is not expected to induce new growth that could affect climate change. The adoption of the state mandated Housing Element's contribution to climate change is considered less than significant.

**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on air resources and no mitigation measures are recommended.

#### 4. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?			X		N, W, X

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X		N
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		K
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	K
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	C
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	D

**Existing Setting:** (Incorporated background information provided in the Deer Creek 2 Final EIR):

Natural vegetation types predominant in Nevada City include mixed coniferous forest, oak woodland, annual grassland, and chaparral communities. Nevada City site is predominantly mixed coniferous forest that is dominated by Douglas fir, incense cedar, ponderosa pine, and California black oak. Nevada City is nestled in an urban forest setting. The City began at the confluence of Deer Creek and Little Deer Creek and grew to the north on the sunny side of the creek. The City lies in a basin which wraps surrounded by Cement Hill, Sugar Loaf Mountain, Harmony Ridge and Banner Mountain forming a forested backdrop. Development within the City has preserved important natural resource values (i.e., Deer Creek Environs, Deer Creek and Little Deer Creek) through a variety of regulatory features (i.e., Development Agreements and setbacks).

A review of the California Department of Fish and Game Natural Diversity Data base map and list was undertaken for the Nevada City Quadrangle. There are eight species of concern listed within this quadrangle. The foothill red-legged frog, coast horned lizard and six plants are included on the list for the U.S.G.S. Nevada City Quadrangle. The two vertebrate animals are listed as species of special concern by the State Department of Fish and Game. Two of the plants are non-vascular and four are vascular. None of the plants have legal protection status on the federal or state lists.

Wetlands in Nevada City are generally small, isolated features dependant on riparian water, ditch leaks or overflows, diversions or natural seeps or springs. There is not comprehensive map of wetland resources in Nevada City. Most would be associated within designated setbacks of perennial streams (Deer Creek and Little Deer Creek) or other intermittent and/or seasonal waterways. Discretionary project reviews consider such features as part of environmental review pursuant to CEQA.

Candidate R3 Parcel setting

Map Location	Address	Biological resources	Comments
1	641 W. Broad Street	<p>Roger Williams Ravine traverses the westerly 20 percent of the site. In addition, there are some very steep slopes leading to the existing graded pad. There is a high likelihood of wetlands and other biologically sensitive features within the ravine. The 1.22 acre site is vacant and constitutes an infill development that is bordered by co-housing to the north, residential uses to the east across West Broad Street, a four unit apartment complex to the south and a single family dwelling to the west across Roger Williams Ravine.</p> <p>Site soils are Placer Diggins. Due to heavy mining there are no known biological sites remaining on the graded pad area. The site is vacant with a number of relatively mature trees within its graded borders.</p>	City site development standards require that no development occurs on 30 percent slopes and setbacks from seasonal streams be at least 25 feet. The graded pad is elevated significantly above the ravine.
2	601 Searls Avenue	There are no observable sensitive biological resources in the form of wetlands or natural waterways/drainages on site. The .8 acre site is vacant and constitutes an infill development that is bordered by commercial development to the north, Hwy 49 freeway to the east, residential uses to the south and Searls Avenue to the west. As a result of the surrounding development and infrastructure, any biological features that may remain would be fragmented sites that would have very little habitat value.	
3	646 Searls Avenue	This site is one acre in size and is long and narrow and is currently developed with a single family dwelling, detached garage and storage of a very large boat. The site contains many large conifer trees and also contains limited grasslands on the western side. The one acre site constitutes an infill development that is bordered by multiple-family development to the north, Searls Avenue to the east, a number of single family dwellings to the south and commercial uses to the west. As a result of the surrounding development and infrastructure, any biological features that may remain would be fragmented sites that would have very little habitat value.	
4	726 Searls Avenue	This vacant 1.7 acre site is largely in a grassland state as a result of almost all vegetation removal by the previous owner. There are currently about a dozen trees left. There are no on-site drainages or	

Map Location	Address	Biological resources	Comments
		other water features on site. The 1.7 acre site constitutes an infill site that is bordered by several single family homes within Perseverance Mine Road and Mine Rock Road to the north, Searls Avenue to the east, a professional office with two detached buildings to the south and a mobile home park to the west. As a result of the surrounding development and infrastructure, any biological features that may remain would be fragmented sites that would have very little habitat value.	
5	170 Ridge Road	This vacant 4.59 acre site is largely in a grassland state as a result of previous logging. The site and is nearly cleared of vegetation so the only trees are at its perimeter. There are many trees, mostly pines and madrones and some native scrub brush. There are no observable wetlands or drainage areas on the site. While the site is relatively large, it too is considered an infill site. To the north are two single family homes and two professional office buildings, to the east is Searls Ave and the Gold Flat/Ridge Road freeway interchange with Hwy 49, to the South is Ridge Road and the Presbyterian Church, and to the West is Zion Street, and a number of professional offices. As a result of the surrounding development and infrastructure, any biological features that may remain would be fragmented sites that would have very little habitat value.	
7	210 Providence Mine Road	This 6 ¼ acre site is part of Parcel C (12.76 acres) of the Final Subdivision Map for the Nevada City Technology Center. The site has a slight down-grade going north-west towards a seasonal drainage that eventually flows into Dear Creek to the north. This property was logged and cleared many years ago and is continually cleared for fire safety. Many different trees dominate the site. There are no steep slopes but wetlands could occur within the seasonal drainage area. Development of this site for residential uses would constitute a logical expansion of the development to the north. Lands to the north are part of the Nevada Technology Center and all other surrounding lands are in an undeveloped open space character. Providence Mine Road forms the immediate southern boundary of the site.	This site is controlled by a Development Agreement as part of the Nevada City Technology Center development. Specific site development applications would be required. At that time, site specific biological assessments would be required.
8	840 Nevada Street	This 1.13 acre site is arrow shaped with 400 feet of frontage on Nevada Street and approximately 500 feet of frontage on Highway 20. State Highway 20 is to the north and west, the parcel to the east across	

Map Location	Address	Biological resources	Comments
		Nevada Street is developed with one single family dwelling and the property to the south is developed with four single family dwellings.	

**Impact Discussion:**

4. a) thru f) In the event that housing projects are proposed to implement the new policies, there will be no impact to Biological Resources as individual projects containing sensitive habitat require environmental review and appropriate mitigation. Future discretionary housing developments are evaluated on a project-by-project basis for potential biological impacts.

As noted throughout, the City has undertaken a site selection process to select appropriate sites for zoning to the new R3 zone. All sites have been preliminarily reviewed for any obvious biologically sensitive features that would pose an impact or a development constraint such that the 15 unit per acre dwelling unit density could not be achieved. Any site with such constraints has been previously removed from consideration by the City.

As noted above, the Nevada City Quadrangle provides habitat and range for the foothill yellow legged frog. The foothill yellow-legged frog territory ranges from northern Oregon west of the Cascades south along the coast to the San Gabriel Mountains, and south along the western side of the Sierra Nevada Mountains to Kern county, with an isolated population (now possibly extinct) in the San Pedro Martir Mountains of Baja California. The foothill yellow-legged frog frequents shallow, slow, gravelly streams and rivers with sunny banks, in forests, chaparral and woodlands at elevations ranging from sea level to 6,700 ft. This frog has disappeared from much of its range in California (possibly up to 45 percent.). Gone from 66 percent of its range in the Sierra Nevada Mountains, especially south of highway 80, possibly due to water released from reservoirs that washes away eggs and forces adult frogs away from the streams where they are more vulnerable to predators.

The Nevada City Quadrangle provides habitat and range for the Coast horned lizard. It is not known whether this species has productive habitat within the City of Nevada City. Bulletin R079 provided on the Department of Fish and Game website indicates the species is an uncommon to common resident of the Sierra Nevada foothills and throughout the central and southern California coast. The coast horned lizard finds suitable habitat in many different types of habitats in California, including but not limited to blue oak-foothill pine, valley foothill riparian and valley oak woodland areas. Water is irrelevant for survival, as the species does not require permanent water. The required habitat for survival of one adult individual is at least .5 acre, but does best when it has a 10 acre range. The spatial habitat requirements for persistence of the population is a minimum of 100 acres if suitable patch covers at least 75 percent of the area. It would appear that for both of these listed species, that there is unsuitable habitat in the urbanized portion of Nevada City.

Biological assessments of the candidate sites have not been conducted and are not proposed. The limited land area, small sites and the number of units that could be constructed during the current 2009-2014 planning period is relatively few. The City Zoning Code currently requires a setback of 100 feet from a perennial stream and 25 feet setback from a seasonal swale or drainage feature. It is furthermore assumed, that any sensitive features may be contained within these setbacks. It is very unlikely that the two special status species discussed above would occupy any of the seven sites. It is also noted that all sites are generally surrounded by major roads and adjoining urban scale development. Any attempt to retain unrecognized biological features would result in fragmentation of those resources that would be further compromised by development. All reasonable efforts have been exercised to avoid sites with biological connectivity to water systems and or natural communities. To the extent that there may be suitable habitat for either one of the two species of special concern on Site 7, further environmental review would be required as part of the amendment to the Development Agreement.



**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on biological resources and no mitigation measures are recommended.

**V. CULTURAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X	C, D, K
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X		K, O
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	K
d) Disturb any human remains, including those interred outside of formal cemeteries?			X		K

**Existing Setting** (Incorporated background information provided in the Deer Creek 2 Final EIR):

Nevada County was originally occupied by the Nisenan (also known as the Southern Maidu) tribe until placer gold was found along Wolf Creek in 1848. The Nisenan occupied the drainages of the Yuba, Bear and American rivers from the Sacramento River on the west to the summit of the Sierras in the east. In the foothills and the mountains the major drainages became their formal and informal boundaries with the land in between forming districts. The Nevada City District is between the Bear and Yuba rivers. The continual movement of the Foothill Nisenan meant that the foothill people did not have large year-round villages. However, there are hundreds of small campsites and villages scattered across the foothills and mountains. Many place names refer to these old or unoccupied sites.

In the 1800s, Anglo-American settlers traveling along the immigrant trail through Grass Valley and Nevada City were first attracted to the region by its agricultural, timber and mineral resources. Placer mining was established along Wolf Creek in 1848, prompting Anglo-Americans to settle there permanently. Nevada, Spanish for “snow-covered,” was first applied in 1849 to a mining camp located along the banks of Deer Creek that was originally called “Caldwell’s Upper Store” after Dr. A.B. Caldwell, who erected a store at this location. Caldwell’s Upper Store (or Dry Creek Diggings) was centered in a rich deposit of placer gold discovered by James Marshal in 1848. By 1850 the name of this settlement changed to Nevada or Nevada City. In 1851, the western portion of Sierra County was split off to form Nevada County, with Nevada City as its county seat. In 1861, a portion of the Utah Territory was divided to form the state of Nevada, which forced residents to declare Nevada City the official name of their community.

Both the layout of the town and the large number of Gold Rush era buildings give a strong sense of the nineteenth century origin of Nevada City. There are not only many designated “historic landmarks,” but also a more permeating sense of place arising from man-made objects that complement its nineteenth century origins.

**Impact Discussion:**

5. a-c The Housing Element looks at the projected needs of all economic segments of the community for the time period of 2009 through 2014. The adoption of housing goals, policies and implementation measures does not necessarily result in the immediate construction of housing. The Housing Element includes policies and actions designed to facilitate the conservation and construction of housing particularly actions to increase and develop higher density affordable housing on several small acreage sites within the city. The potential for impacts due to implementation of the housing policies proposed in the implementation of the new goals and policies of the Housing Element are low.

All seven sites being considered for R3 zone have been altered through mining, timber harvest or other major site disturbing activities. There are also no major waterways on any of the sites. Site specific environmental review would be required on site 7 as part of a Development Agreement amendment if that site is designated for High Density Multiple Family on the general plan. As a result of the existing site conditions, it is very unlikely that any cultural resources would be found.

5. d Even though the seven sites do not have a likelihood of having cultural resources, including historic, prehistoric, and paleontological resources there is potential for unanticipated discovery of human remains during project construction. The R3 zone district includes the appropriate notification for construction as follows:

“The project applicant for any R3 zoned property shall include a note on all grading/improvement plans advising contractors and construction personnel involved in any form of ground disturbance of the possibility of encountering subsurface human remains. If such resources are encountered or suspected, work shall be halted immediately and the construction contractor shall contact the Planning Department. If bones are encountered and appear to be human, the Nevada County Coroner and the Native American Heritage Commission shall be contacted. If the resources encountered are Native American in origin, Native American tribes and individuals recognized by the County shall be notified and consulted about any plans for treatment.”

**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on cultural resources and no further mitigation measures are recommended.

#### 6. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Expose people or structures to unstable earth conditions or changes in geologic substructures?				X	L, P
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X	L, P
ii) Strong seismic ground shaking?				X	L, P
iii) Seismic-related ground failure, including liquefaction?				X	L, P
iv) Landslides?				X	L, P
b) Result in substantial soil erosion or the loss of topsoil?				X	I, L
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X	G, P

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X	G, P
e) Be located on expansive soils, as defined in Table 18, 1-B of the Uniform Building Code (2007), creating substantial risks to life or property?				X	G

**Existing Setting:** (Incorporated background information provided in the Deer Creek 2 Final EIR):

**Geology**

Nevada County is within the Sierra Nevada Range, which is a geologic block approximately 80 miles wide oriented north to south that extends along eastern California for approximately 400 miles. Nevada City is located in the western portion of the county, a transitional area between the Sierra Nevada mountain range and the Sacramento River Valley to the west. The foothills of western Nevada County are comprised of a geologic substructure that includes metavolcanic (Mesozoic Jura-Trias Metavolcanic) and granitic formations (Mesozoic Granitic), as well as sedimentary and metasedimentary and volcanic formations further to the east.

**Seismic/Faulting**

Some faulting exists in the Nevada City area. Faults are fractures in the earth's crust across which there has been relative displacement. When the earth moves along a fault, large amounts of energy are released in all directions from the fault, known as an earthquake. Earthshaking occurs in areas near the fault, varying according to distance, magnitude of the earthquake, and the type of intervening geologic material. Prequaternary faults (those older than two million years) are located in western Nevada County, while quaternary and historic (younger than two million years and younger than 200 years, respectively) are located in the eastern portion of the county near Truckee. The closest active fault is the Cleveland Hill, located about six miles southeast of Oroville (approximately 60 miles from Nevada City), is oriented north-northwest and is approximately 10 miles long. Various alignments of the Foothills Fault Zone are located in Nevada County, as described by the California Geological Survey (formerly the California Division of Mines and Geology), and this fault system is categorized as Mesozoic (approximately 225 million years ago) reactivated in Cenozoic time (65 million years ago to present). The California Geological Survey identifies no fault zone that affects Nevada County, according to Alquist-Priolo criteria. However, Nevada City area may experience minor groundshaking from seismic activity in the general vicinity.

Nevada City is located in western Nevada County, an area that is classified as having a low risk of substantial seismic activity. 4 The Nevada County General Plan indicates that the Project area is in Zone I – Low, which is the low-intensity seismic zone. A low-intensity zone is defined by the United States Geological Survey (USGS) as an area that is likely to experience an earthquake measuring 5.0-5.9 in magnitude on the Richter scale, and a maximum intensity of VI or VII on the Modified Mercalli scale. This corresponds with the maximum intensity expected near Nevada City. Since 1887, Nevada County has experienced 26 earthquakes at a Modified Mercalli Intensity (MMI) of VI or VII and 10 earthquakes at a MMI of VIII. No known earthquakes of MMI X or greater have occurred in the Nevada County area.

**Soils**

Soils in Nevada County have development constraints related to erosive capacity, permeability, septic tank suitability, and other factors, as well as and suitability constraints for agriculture and timber production. Nevada County has nine soil classifications. Soils in the general vicinity of Nevada City are generally classified as mountainous upland soils. Soils in Nevada City are classified as Aiken, Hoda, Josephine and Placer Diggings

series soils, which are all deep and well drained soils. The soils have limited productive value for agriculture, but are excellent for timber production. General soil limitations within Nevada City are presented in the table below.

Soils become unstable as a result of removal of vegetation, mining, timber harvest, and building and development. Depending on topographic, geologic, and hydrological conditions, certain types of soils may become unstable and threaten lives and property – especially during times of heavy precipitation. Certain bedrock formations have a higher susceptibility to instability, such as landslides, compared to others. In general, formations with high susceptibility to landslide are not found in western Nevada County.

Soil Type	Topography	Slope	Permeability	Dwelling Limitations	Erosion Hazard	Agricultural Capability	Timber Capability
Aiken – Cohasset Assoc.	Gently sloping to steep	2-50%	Moderately slow to moderately rapid	Slight to severe	High	II-VI	Very high
Chaix – Musick Assoc.	Gently sloping to very steep	5-75%	Moderately slow	Slight to severe	Moderate to high	III-VII	Moderately high to very high
Josephine – Sites – Mariposa Assoc.	Undulating to very steep	2-75%	Moderately slow to moderate	Slight to severe	Moderate to very high	II-VII	Moderately high to very high
Placer Diggings – Tailings – Horseshoe Assoc	Gently rolling to extremely steep	2-75%	Very rapid	Moderate to severe	Variable	III-VII	Low to very high

#### Candidate R3 Parcel setting

Map Location <sup>1</sup>	Address	Geology and soils	Comments
1	641 W. Broad Street	Roger Williams Ravine traverses the westerly 20 percent of the site. In addition, there are some very steep slopes leading to the existing graded pad. There is a high likelihood of wetlands and other biologically sensitive features within the ravine.  Site soils are Placer Diggins as a result of heavy placer mining in the 1850s.	Due to possible unstable soils, any building permit would be required to prepare a detailed soils report in accordance with Table 18, 1-B of the Uniform Building Code (2007)
2	601 Searls Avenue	Site soils on this .82 acre site are classified as Hoda Sandy Loam with slopes between 9-15 percent. The Hoda soil series are characteristically well drained. This soil type has moderate shrink-swell potential due to clay content in soil.	The site is basically flat and as a result, slopes would not present development constraints.
3	646 Searls Avenue	Site soils on this .82 acre site are classified as Hoda Sandy Loam with slopes between 5-9 percent. The Hoda soil series are characteristically well drained. This soil type has moderate shrink-swell potential due to clay content in soil.	The site is basically flat and as a result, slopes would not present development constraints.

Map Location <sup>1</sup>	Address	Geology and soils	Comments
4	726 Searls Avenue	Site soils on this 1.7 acre site are classified as Hoda Sandy Loam with slopes between 9-15 percent. The Hoda soil series are characteristically well drained. This soil type has moderate shrink-swell potential due to clay content in soil.	The site slopes downward from south to north. Due to the relatively large size, slopes would not present significant development constraints.
5	170 Ridge Road	Site soils on this .82 acre site are classified as Josephine Loam with slopes between 9-15 percent. The Josephine soil series are characteristically well drained. This soil type has low shrink-swell potential.	The site is basically flat and as a result, slopes would not present development constraints.
7 <sup>4</sup>	210 Providence Mine Road	Site soils on this 6 ¼ acre site are classified as Josephine Loam with slopes between 9-15 percent. The Josephine soil series are characteristically well drained. This soil type has low shrink-swell potential.	The site has variable slopes with a very developable bench before it drops off toward the drainage way on the north side. Site specific development plans would be reviewed through amendments to the Development Agreement and would involve CEQA review.
8	840 Nevada Street	This 1.13 acre site is arrow shaped with 400 feet of frontage on Nevada Street and approximately 500 feet of frontage on Highway 20. Site soils are Placer Diggins as a result of heavy placer mining in the 1850s. A series of irregular mounds are present along the Highway 20 route.	Due to possible unstable soils, any building permit and site grading would be required to prepare a detailed silos report in accordance with Table 18, 1-B of the Uniform Building Code (2007)

**Impact Discussion:**

6. a) – e) All future housing development are subject to the Uniform Building Code. All sites are rated for potential seismic or geological risks. Appropriate construction standards are applicable to each seismic zone. Erosion control measures are required with individual project approvals to stabilize areas disturbed for road construction or other site improvements. Prior to any site disturbance, the City Engineer normally requires a grading permit to be submitted and approved. To minimize erosion and soil loss during the rainy season, construction is precluded between October 15 and May 1 unless the City Engineer determines project soil conditions to be adequate to accommodate construction activities.

Soil resources will be evaluated for the potential for landslides, erosion, subsidence, liquefaction, expansion, in accordance with the Uniform Building Code, which is designed to protect structures from geologic and seismic risks and to ensure structural safety. The impacts are less than significant.

**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on geologic and soil resources and no mitigation measures are recommended.

**7. HAZARDS & HAZARDOUS MATERIALS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials?				X	A, F
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	F
c) Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school?				X	F
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	F
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	A, D, K
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area?				X	A, D
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	A
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X		B, Q

**Existing Setting:**

In recent times various abandoned mine sites within Nevada City were cleaned up in accordance with EPA requirements.

Candidate R3 Parcel setting. None of the seven candidate parcels have any known hazards.

**Impact Discussion:**

7.a-c, g The adoption of the Housing Element and its various implementation programs will not create potential health hazards or risk of upset. Future housing development will be evaluated on a project-by-project basis for potential health hazard risks. Projects must continue to comply with zoning site development standards and General Plan policies which are designed to reduce and/or eliminate these types of negative impacts. In addition, discretionary housing projects are subject to environmental review where such impacts, if present, can be addressed.

7. d According to Nevada County Health records, there are no residential sites within the City of Nevada City that are listed as hazardous materials sites compiled pursuant to Government Code Section 65962.5

7.e, f The City of Nevada City is not located within two miles of the Nevada County airport or within the land use plan for that airport. In addition, there are no known private airstrips in proximity to Nevada City.

7.h The City of Nevada City is not within a designated wildland fire area as mapped on the Calfire Wildland Fire Maps. Nevada City is however designated on those maps as being within a "Local Responsibility Area" meaning that the City of Nevada City Fire Department has primary responsibility for wildland fire protection within the City. The City Fire Department implements all aspects of Public Resource Code 4290 and 4291 as they pertain to development projects within the City. These measures would also apply to ministerial development within the new R3 zone. Compliance with fire safe standards of the Uniform Fire Code and those required of Public Resources Code 4290 and 4291 will ensure future residential development will not have a significant impact on wildland fire.

**Impact Conclusion:** The adoption of the Housing Element and related programs would not result in significant impacts on hazards and hazardous materials and no mitigation measures are recommended.

## 8. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Violate any potable water quality standards?				X	F, H, K
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	K
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X	A, E
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X	A, E
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X	A
f) Otherwise substantially degrade surface water quality				X	R